

Applicants : Liu and Liu
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Art Unit : 3732
Date of office action : 8-14-2008
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REMARKS

Claim Status

Claims 22-41 are pending in the application. Claim 23 has been canceled, and claims 22 and 31 have been amended.

Rejection Under 35 U.S.C. §112, Second Paragraph

Claims 22-41 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner contends that it is unclear and indefinite as to or from what the flexible means, flexible elbow, and/or tapered end are forming 90 degrees; and it is also unclear and indefinite as far as what exactly are the left and right directions. The rejection is respectfully traversed.

Applicants submit that independent claims 22 and 31 have been amended to recite an apparatus comprising a flexible means which is pliable so that the interdental material can be brought laterally to either side of the longitudinal axis of the handling means to have an about 90 degrees angle between the interdental material and the longitudinal axis of the handling means (see e.g. Figures 2 and 11). Applicants submit that the claims have been amended to obviate the rejection. Accordingly, Applicants respectfully request that the rejection of claims 22-41 under 35 U.S.C. §112, second paragraph, be withdrawn.

Rejection Under 35 U.S.C. §102(b)

Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Rabinowitz (U.S. Pat. No. 4,683,875). The rejection is respectfully traversed.

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The Examiner contends that Rabinowitz teaches a dental apparatus comprising an element 18 capable of cleaning teeth. Applicants respectfully disagree. Applicants submit that Rabinowitz only teaches a massaging part 14 comprising a tapered massaging element 18 (see column 4, lines 18-20; Figure 1). Rabinowitz does not teach an element capable of cleaning teeth as claimed herein.

Claim 22 has been amended to recite an apparatus comprising "a teeth-cleaning means comprising arms that secure one or more lengths of interdental material". Rabinowitz does not teach a teeth-cleaning means comprising arms that secure one or more lengths of interdental material as claimed herein. Since Rabinowitz does not teach each and every aspect of the present invention, Rabinowitz does not anticipate the present invention. Accordingly, Applicants respectfully request that the rejection of claim 22 under 35 U.S.C. 102(b) be withdrawn.

Rejection Under 35 U.S.C. §102(b)

Claims 22-35 are rejected under 35 U.S.C. 102(b) as being anticipated by Chodorow (U.S. Pat. No. 6,065,479). The rejection is respectfully traversed.

Independent claims 22 and 31 have been amended to recite an apparatus comprising one or more lengths of interdental material, wherein the interdental material is oriented longitudinally as related to the longitudinal axis of the elongated handle of the apparatus (see e.g. Figure 1 of the present specification). In contrast, Chodorow teaches an

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apparatus comprising a dental floss which is oriented transversely as related to the longitudinal axis of the elongated handle of the apparatus (see e.g. Figure 1 of Chodorow). Since Chodorow does not teach each and every aspect of the present invention, Chodorow does not anticipate the independent claims of the present invention. Accordingly, Applicants respectfully request that the rejection of claims 22-35 under 35 U.S.C. 102(b) be withdrawn.

Rejection Under 35 U.S.C. §102(e)

Claims 22-27 and 31-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Ding et al. (2004/0134512). The rejection is respectfully traversed.

Independent claims 22 and 31 have been amended to recite an apparatus comprising one or more lengths of interdental material, wherein the interdental material is oriented longitudinally as related to the longitudinal axis of the elongated handle of the apparatus (see e.g. Figure 1 of the present specification). In contrast, Ding et al. teach an apparatus comprising a dental floss which is oriented transversely as related to the longitudinal axis of the elongated handle of the apparatus (see e.g. Figure 1 of Ding et al.). Since Ding et al. do not teach each and every aspect of the present invention, Ding et al. do not anticipate the independent claims of the present invention. Accordingly, Applicants respectfully request that the rejection of claims 22-27 and 31-38 under 35 U.S.C. 102(e) be withdrawn.

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Rejection Under 35 U.S.C. §102(b)

Claims 22-24, 27, 31-32 and 37-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasumoto (U.S. Pat. No. 4,005,721). The rejection is respectfully traversed.

Independent claims 22 and 31 have been amended to recite an apparatus comprising a flexible means which is pliable so that the interdental material can be brought laterally to either side of the longitudinal axis of the handling means to have an about 90 degrees angle between the interdental material and the longitudinal axis of the handling means (see e.g. Figures 2 and 11 of the present specification).

In contrast, Yasumoto does not teach a flexible means or flexible elbow that enables lateral movement of interdental material relative to the dental hygiene apparatus as claimed herein. Yasumoto only teaches an apparatus wherein the dental floss can be placed parallel to and on either side of the dental floss holder (see column 5, lines 1-4; Figures 3A-B). Yasumoto does not teach the *"interdental material can be brought laterally to either side of the longitudinal axis of the handling means to have an about 90 degrees angle between the interdental material and the longitudinal axis of the handling means"* as claimed herein. Since Yasumoto does not teach each and every aspect of the present invention, Yasumoto does not anticipate the independent claims of the present invention. Accordingly, Applicants respectfully request that the rejection of claims 22-24, 27, 31-32 and 37-38 under 35 U.S.C. 102(b) be withdrawn.

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Rejection Under 35 U.S.C. §103(a)

Claims 28-30 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ding et al. (2004/0134512) in view of Gordon (U.S. Pat. No. 5,184,719). The rejection is respectfully traversed.

Independent claims 22 and 31, and Ding et al. have been discussed above. The Examiner cites Gordon to teach a dental hygiene apparatus having a guarding means. As discussed above, the primary reference Ding et al. do not teach or suggest a dental apparatus comprising an interdental material that is oriented longitudinally as related to the longitudinal axis of the elongated handle of the apparatus as claimed herein. Moreover, Ding et al. do not teach or suggest the interdental material can be brought laterally to either side of the longitudinal axis of the handle to have an about 90 degrees angle between the interdental material and the longitudinal axis of the handle as claimed herein.

Hence, the present invention is not obvious in view of Ding et al. and Gordon because the combination of Ding et al. and Gordon does not teach or suggest each and every aspect of the present invention. Accordingly, Applicants respectfully request that the rejection of claims 28-30 and 39-41 under 35 U.S.C. 103(a) be withdrawn.

Rejection Under 35 U.S.C. §103(a)

Claims 25-26 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasumoto (U.S. Pat. No. 4,005,721) in view of Neves (U.S. Pat. No. 6,102,051).

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Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yasumoto (U.S. Pat. No. 4,005,721) in view of Halm (U.S. Pat. No. 5,052,071).

Claims 28-30 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasumoto (U.S. Pat. No. 4,005,721) in view of Gordon (U.S. Pat. No. 5,184,719). These rejections are respectfully traversed.

Independent claims 22 and 31, Yasumoto and Gordon have been discussed above. Neves is cited to teach a dental hygiene apparatus having a tapered portion. Halm is cited to teach a dental hygiene apparatus comprising an elongated handle having ridges or grooves.

As discussed above, the primary reference Yasumoto does not teach or suggest a dental apparatus comprising an interdental material that can be brought laterally to either side of the longitudinal axis of the handle to have an about 90 degrees angle between the interdental material and the longitudinal axis of the handle as claimed herein. Hence, the present invention is not obvious in view of the cited references because the combined teaching of the cited references does not teach each and every aspect of the present invention. Accordingly, Applicants respectfully request that the rejection of claims 25, 26, 28-30, 33-36 and 39-41 under 35 U.S.C. 103(a) be withdrawn.

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CONCLUSION

Applicants respectfully maintain that all the grounds of rejections raised in the August 14, 2008 Final Office Action have been addressed and earnestly urge the Examiner to render favorable action for the claimed invention.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

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